

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Defendant's Cross-Motion With Supporting Affidavit of Eric D. Witkin with Exhibits was served via Federal Express Next Business Day Delivery and the Court's electronic filing system upon the following:

James F. Bogan, III, Esq.
Kilpatrick Stockton, LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309
jbogan@kilpatrickstockton.com

On this 4th day of August, 2008.

/s/

Anna Maria Loiacono